

Please accept this comment on the 1/28/04 Petition of Consumer Bankers Association seeking what they call a "waiver" of the FCC rule at 47 C.F.R. 64.1601(e), which requires telemarketers to identify themselves to their targets. That petition suggests, incorrectly, that "no consumer protection issues" would be raised by waiving the requirement that telemarketers who call businesses transmit their phone number. As a consumer who has frequently received intrusive, unwanted, and unidentified calls at my place of business from persons marketing consumer services such as debt counseling and consumer goods, I must respectfully but strongly disagree with petitioner's contention. The caller ID requirement should continue to apply to calls placed to consumers at their business. Telemarketers know that those who answer the telephone at a business are also consumers. That is why they market consumer goods and services to business phone numbers. If the telemarketing industry were allowed to circumvent consumer protections by making anonymous calls to businesses, that would defeat the purpose of the consumer protections in regulations we have deliberately put in place. Current law has it right. There is no more reason to allow the telemarketing industry to make anonymous calls to business than there is to allow the industry to make anonymous calls to homes. Further, Industry complaints regarding technical difficulties notwithstanding, I believe that it is actually much easier and less costly to maintain an outgoing telephone number that does NOT block the caller ID function. Accordingly, on behalf of consumers such as myself, whose work is often interrupted by persons peddling consumer goods and services who are afraid to identify themselves, I respectfully request that the FCC reject the petition and uphold its rules so as to ensure they protect consumers wherever they are, whether at work or at home. Further, should the Commission be inclined to seriously consider the arguments in the petition, then I respectfully request that the Commission pursue the well-established and time-tested notice and comment process, as any decision to preclude the application of the above provision to calls placed to businesses would constitute a rulemaking within the meaning of the Administrative Procedure Act.